



**AUSTIN CITY COUNCIL
MINUTES**

**REGULAR MEETING
THURSDAY, SEPTEMBER 27, 2012**

Invocation: Pastor Joseph Moore, Central Presbyterian Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, September 27, 2012 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:12 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session meeting of August 21, 2012, budget work session of August 22, 2012, regular meeting of August 23, 2012, budget and tax rate of August 30, 2012, budget readings of September 10, 2012 and special called meeting of September 12, 2012.
The minutes from the work session meeting of August 21, 2012, budget work session of August 22, 2012, regular meeting of August 23, 2012, budget and tax rate of August 30, 2012, budget reading of September 10, 2012 and special called meeting of September 12, 2012 were approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
2. Approve the issuance of a Letter of Intent for a Performance Based Incentive to Abercorn International School for the generation of solar energy at its facility located at 601 Ranch Road 620 South, Lakeway, Texas, for an estimated \$20,400 per year with the total amount not to exceed \$234,500 over a 10-year period.
The motion to approve the issuance of a letter of intent for a performance based incentive to Abercorn International School was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
3. Approve the issuance of a Letter of Intent for a Performance Based Incentive to Caddo Minerals for the generation of solar energy at its facility located at 2714 Bee Cave Road, Austin, Texas, for an estimated \$10,700 per year with the total amount not to exceed \$122,400 over a 10-year period.
The motion to approve the issuance of a letter of intent for a performance based incentive to Caddo Minerals was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
4. Approve the issuance of a Letter of Intent for a Performance Based Incentive to Circuit of the Americas for the generation of solar energy at its facility located at 9201 Circuit of the Americas Blvd., Austin,

Texas, for an estimated \$49,300 per year with the total amount not to exceed \$566,200 over a 10-year period.

The motion to approve the issuance of a letter of intent for a performance based incentive to Circuit of the Americas was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

5. Approve the issuance of a Letter of Intent for a Performance Based Incentive to Holt Cat for the generation of solar energy at its facility located at 9601 S. Interstate 35, Austin, Texas, for an estimated \$45,500 per year with the total amount not to exceed \$522,700 over a 10-year period.
The motion to approve the issuance of a letter of intent for a performance based incentive to Holt Cat was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
6. Approve the issuance of a Letter of Intent for a Performance Based Incentive to Tarrytown Pharmacy for the generation of solar energy at its facility located at 2727 Exposition Blvd., Austin, Texas, for an estimated \$5,900 per year with the total amount not to exceed \$67,600 over a 10-year period.
The motion to approve the issuance of a letter of intent for a performance based incentive to Tarrytown Pharmacy was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
7. Approve issuance of a rebate to AT&T Services, Inc., for the installation of energy efficient equipment at their AT&T Mobility Technology Laboratory located at 9825 Spectrum Drive, in an amount not to exceed \$57,287.
The motion to approve the issuance of a rebate to AT&T Services, Inc. was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
8. Approve administrative rules for City Code Chapter 15-6 (Solid Waste Service) regarding curbside collection, implementation of the Universal Recycling Ordinance, basic standards for service providers, and clarified definitions and repealing all previously existing rules for Chapter 15-6.
The motion to approve administrative rules regarding curbside collection was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
9. Approve a resolution authorizing the extension of the fee schedule for participation under the Balcones Canyonlands Conservation Plan - Shared Vision, with no expiration date.
Resolution No. 20120927-009 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
10. Approve Service Extension Request Nos. 3077R, 3153, 3160, 3161, 3162, 3163, 3164, 3165, 3166, 3167, 3168, 3169, 3170 and 3175 for wastewater service to 1100, 1102, 1103, 1104, 1105, 1106, 1201, 1203, 1205, 1206, 1210, 1209, and 1300 Constant Springs Drive and 3601 Moon River Road, located within the Drinking Water Protection Zone and the City's 2-mile extraterritorial jurisdiction.
The motion to approve service extension requests was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
11. Authorize negotiation and execution of an interlocal agreement with Travis County for the one-time transfer of \$454,678 to the City for the purchase of 9-1-1 related equipment, maintenance, services and training to support the Combined Transportation, Emergency and Communications Center Public Safety and Emergency Management agencies.
The motion authorizing the negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

12. Authorize execution of an amendment to an interlocal agreement between the City, Travis County, and the Austin Travis County Integral Care Center to extend the contract for an additional one month period through October 31, 2012 to provide substance abuse and mental health treatment services for offenders with a history of repeated contact with the criminal justice system through the program known as Project Recovery for a total contract amount not to exceed \$393,427.
The motion authorizing the execution of an amendment to an interlocal agreement between the City, Travis County, and the Austin Travis County Integral Care Center was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
13. Authorize execution of a construction contract with Muniz Concrete and Contracting, Inc. (90.75% MBE/MH) for the Local Area Traffic Management and Intersection Improvements Indefinite Delivery/Indefinite Quantity Contract, a 2010 Bond Program Project, in the amount of \$1,679,952.91 plus \$167,995.29 contingency for an amount not to exceed \$1,847,948.20. (Notes: This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 90.75% MBE prime participation and 3.88% WBE subcontractor participation.)
The motion authorizing the execution of a construction contract with Muniz Concrete and Contracting, Inc. was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Item 14 was pulled for discussion.

15. Authorize execution of a construction contract with CENTRAL ROAD & UTILITY, LTD., (61.04% MBE/MH) for Anderson Mill/US 183 Wastewater Improvements in an amount of \$1,387,833.10 plus a \$138,783.30 contingency, for a total contract amount not to exceed \$1,526,616.40. (Notes: This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 61.04% MBE prime and 7.81% MBE and 3.58% WBE subcontractor participation.)
The motion authorizing the execution of a construction contract with Central Road & Utility, Ltd. was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
16. Authorize execution of a construction contract with MUNIZ CONCRETE & CONTRACTING, INC., (84.55% MBE/MH) for the Comburg Dam Modernization project in an amount not to exceed \$278,011.75. (Notes: This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 84.55% MBE prime and 8.09% MBE and 6.82% WBE subcontractor participation.)
The motion authorizing the execution of a construction contract with Muniz Concrete & Contracting, Inc. was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
17. Authorize the negotiation and execution of a professional services agreement with CH2M HILL, INC. (staff recommendation), or one of the other qualified responders to RFQ Solicitation CLMP109, to provide professional services for the Walnut Creek WWTP Secondary Process Improvements project with an amount not to exceed \$1,500,000. (Notes: This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE subconsultant participation.)
The motion authorizing the execution of a professional services agreement with CH2M Hill, Inc. was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Item 18 was pulled for discussion.

19. Authorize execution of a construction contract with Lambda Construction, LTD. for construction of Austin Energy's new Dunlap 345 kV Substation, in the amount of \$4,777,300 plus a \$238,865 contingency, for a total contract not to exceed \$5,016,165. (Notes: This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 21.93 % MBE and 1.64% WBE subcontractor participation.)
The motion authorizing the execution of a construction contract with Lambda Construction, Ltd. was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
20. Authorize execution of a construction contract with QUEST CIVIL CONSTRUCTORS TEXAS, LLC, for the Rosewood Site Improvements - Rebid in the amount of \$2,165,637 plus a \$216,563.70 contingency, for a total contract amount not to exceed \$2,382,200.70. (Notes: This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 12.62% MBE and 3.32% WBE subcontractor participation.)
The motion authorizing the execution of a construction contract with Quest Civil Constructors Texas, LLC was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Items 21 was pulled for discussion.

Item 22 was pulled to be heard after related item 146.

Item 23 was pulled to be heard after the related Executive Session item.

24. Approve negotiation and execution of an agreement with Skillpoint Alliance, Austin to continue the Community Technology and Training Center Program for a one-year term beginning October 1, 2012 in an amount not to exceed \$287,833. (Notes: This contract is exempt from the MBE/WBE Ordinance. This exemption is in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)
The motion authorizing the negotiation and execution of an agreement with Skillpoint Alliance was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
25. Approve a resolution authorizing the City Manager, by and through the EMS Director, to holdover for one hundred and twenty (120) days the current Interlocal Agreement between the City and Travis County for Emergency Medical Services, as provided for in the Interlocal.
Resolution No. 20120927-025 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
26. Approve negotiation and execution of an agreement with Foundation Communities, for a 24-month contract with a term of September 27, 2012 through September 30, 2014, in an amount not to exceed \$200,000, with one 24-month renewal option in an amount not to exceed \$200,000, for a total contract amount not to exceed \$400,000, to provide case management, mental health and supportive services to homeless individuals who were frequent users of the Downtown Austin Community Court and are now living in permanent supportive housing. Recommended by the Public Health and Human Services Committee.
The motion authorizing the negotiation and execution of an agreement with Foundation Communities was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

27. Authorize negotiation and execution of amendments to contracts with the following four providers of services to people with AIDS, to provide additional funding and extend contract terms through February 28, 2013: Amendment No. 6 with AIDS SERVICES OF AUSTIN, INC. in an amount not to exceed \$113,882, for a total contract amount not to exceed \$993,283; Amendment No. 6 with AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION C.A.R.E. Program, in an amount not to exceed \$22,364 for a total amount not to exceed \$227,123; Amendment No. 6 with PROJECT TRANSITIONS, INC. in an amount not to exceed \$72,192 for a total contract amount not to exceed \$431,204; Amendment No. 6 with THE WRIGHT HOUSE WELLNESS CENTER in an amount not to exceed \$34,604 for a total contract amount not to exceed \$491,805.
The motion authorizing the negotiation and execution of amendments to contracts with AIDS Services of Austin, Inc.; Austin Travis County Mental Health Mental Retardation C.A.R.E.; Project Transitions, Inc.; and The Wright House Wellness Center was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
28. Authorize negotiation and execution of an interlocal agreement with Travis County for a 12-month term beginning October 1, 2012, under which City will provide certain animal services to Travis County in exchange for compensation of approximately \$967,275.
The motion authorizing the negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
29. Authorize negotiation and execution of an interlocal agreement between the City and Travis County under which the City provides certain public health services to Travis County, in exchange for payment of \$2,884,213, for a 12-month period beginning October 1, 2012.
The motion authorizing the negotiation and execution of an interlocal agreement between the City and Travis County was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
30. Authorize negotiation and execution of an interlocal agreement with THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON, SCHOOL OF PUBLIC HEALTH AUSTIN REGIONAL CAMPUS, that will assist the City Health and Human Services Department in fulfilling the Community Transformation Grant federal initiative to implement evidence-based community, systems, environmental, programmatic and infrastructure changes to combat health disparities and chronic disease burden that disproportionately affects Latinos and African Americans in Austin/Travis for a one-year term beginning September 30, 2012 in an amount not to exceed \$100,000, with three annual renewal options, in an amount not to exceed \$100,000 per renewal option, for a total contract amount not to exceed \$400,000.
The motion authorizing the negotiation and execution of an interlocal agreement with the University of Texas Health Science Center at Houston, School of Public Health Austin Regional Campus was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
31. Approve negotiation and execution of a 12-month contract with FRONT STEPS, INC., Austin, TX, for the provision of homeless social services at the Austin Resource Center for the Homeless (ARCH) in an amount not to exceed \$2,247,416 for the period of October 1, 2012 through September 30, 2013 for a total contract not to exceed \$2,247,416.
The motion authorizing the negotiation and execution of a contract with Front Steps, Inc. was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
32. Approve negotiation and execution of an interlocal agreement with AUSTIN TRAVIS COUNTY INTEGRAL CARE, to provide Community Development Block Grant eligible services to youth and their families in an amount not to exceed \$203,700 from October 1, 2012 through September 30, 2013,

with three (3) renewal options, in an amount not to exceed \$203,700 per option, for a total agreement not to exceed \$814,800.

The motion authorizing the negotiation and execution of an interlocal agreement with Austin Travis County Integral Care was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

33. Authorize negotiation and execution of amendments to two social services contracts with the following agencies: AUSTIN TRAVIS COUNTY INTEGRAL CARE, in an amount not to exceed \$136,374 for a total contract amount of \$170,468; and CENTER FOR CHILD PROTECTION, in an amount not to exceed \$270,518 for a total contract amount of \$405,777, for a two-year term beginning on October 1, 2012 and ending on September 30, 2014.

The motion authorizing the negotiation and execution of amendments to two social services contracts with Austin Travis County Integral Care and Center for Child Protection was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

34. Authorize negotiation and execution of Amendment #2 to the Agreement with AFRICAN AMERICAN MEN AND BOYS HARVEST FOUNDATION, Inc., Austin, TX to increase funding for programs that enhance the quality of life for African American youth and families for the period October 1, 2012 through September 30, 2013 in an amount not to exceed \$162,000, with one 12 month renewal option in an amount not to exceed \$60,000, for a total contract amount not to exceed \$432,000.

The motion authorizing the negotiation and execution of amendment number two to the agreement with African American Men and Boys Harvest Foundation, Inc. was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Item 35 was pulled to be heard after the staff presentation.

36. Authorize negotiation and execution of a legal services contract with Fulbright & Jaworski, LLP for services related to the revitalization of the Waller Creek District to involve legal projects relating to public finance issues, land acquisition and the creation of a joint development agreement with the Waller Creek Conservancy, in an amount not to exceed \$240,000.

The motion authorizing the negotiation and execution of a legal services contract with Fulbright & Jaworski, LLP was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

37. Approve an ordinance accepting \$2,500 in grant funds from the National Endowment for the Humanities and amending the Fiscal Year 2011-2012 Library Department Operating Budget Special Revenue Fund to appropriate \$2,500 to support library programs.

Ordinance No. 20120927-037 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

38. Authorize the negotiation and execution of a one-year service agreement with the Austin Housing Finance Corporation to manage and operate various housing programs on the City's behalf during Fiscal Year 2012-2013 using funds received by the City from the U.S. Department of Housing and Urban Development, in addition to local City of Austin funds, in an amount not to exceed \$6,102,960.

The motion authorizing the negotiation and execution of a service agreement with the Austin Housing Finance Corporation was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

39. Authorize the negotiation and execution of a one-year contract with BUSINESS INVESTMENT GROWTH in an amount not to exceed \$200,000 to provide training and technical assistance services to certified micro enterprises under the Small Business Assistance program.

The motion authorizing the negotiation and execution of a contract with Business Investment Growth was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

40. Authorize the negotiation and execution of a one-year contract with AUSTIN TENANT'S COUNCIL in an amount not to exceed \$288,729 to fund and administer the Tenants' Rights Assistance program for community education and information about tenant protection laws.
The motion authorizing the negotiation and execution of a contract with Austin Tenant's Council was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Items 41 through 44 were pulled for discussion.

45. Approve an ordinance amending the Fiscal Year 2011-2012 Parks and Recreation Department Capital Budget (Ordinance No. 20110912-006) to reallocate and appropriate \$800,000 from the design and construction of a kitchen expansion for the Turner Roberts Multi-use Structure at Colony District Park to the Turner Roberts Multi-use Structure at Colony District Park Project.
Ordinance No. 20120927-045 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Items 46 and 47 were pulled to be heard after related Executive Session items.

48. Authorize negotiation and execution of an Interlocal Agreement for Booking and Related Services between Travis County and the City of Austin in the amount of \$6,188,171 for Fiscal Year 2012-2013.
The motion authorizing the negotiation and execution of an interlocal agreement between Travis County and the City of Austin was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
49. Approve a resolution accepting \$61,626.04 in grant funding from the State of Texas, Governor's Office, Criminal Justice Division to implement the Austin Police Department project entitled the Austin Police Services for Victims of Domestic Violence.
Resolution No. 20120927-049 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
50. Approve a resolution authorizing the application for and acceptance of \$26,761 in grant funding from the State of Texas, Governor's Office, Criminal Justice Division to implement the Austin Police Department project entitled the APD Gang Intervention Team Project. Related to Item #51
Resolution No. 20120927-050 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
51. Approve an ordinance accepting \$26,761 in grant funds from the State of Texas, Office of the Governor, Criminal Justice Division; and amending the Fiscal Year 2011-2012 Police Department Operating Budget Special Revenue Fund of Ordinance No. 20110912-005 to appropriate \$26,761 for the Austin Police Department project entitled APD Gang Intervention Team Project. Related to Item #50
Ordinance No. 20120927-051 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
52. Approve a resolution authorizing the application for and acceptance of \$74,984 in grant funding from the State of Texas, Governor's Office, Criminal Justice Division to implement the Austin Police Department project entitled the APD Regional Training Project. Related to Item #53
Resolution No. 20120927-052 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

53. Approve an ordinance accepting \$74,984 in grant funds from the State of Texas, Office of the Governor, Criminal Justice Division; and amending the Fiscal Year 2011-2012 Police Department Operating Budget Special Revenue Fund of Ordinance No. 20110912-005 to appropriate \$74,984 for the Austin Police Department project entitled APD Regional Training Project. Related to Item #52
Ordinance No. 20120927-053 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
54. Approve a resolution authorizing the application for and acceptance of \$40,000 in grant funding from the State of Texas, Governor's Office, Criminal Justice Division to implement the Austin Police Department project entitled the Austin JJGIU Juvenile Justice Improvement Project. Related to Item #55
Resolution No. 20120927-054 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
55. Approve an ordinance accepting \$40,000 in grant funds from the State of Texas, Office of the Governor, Criminal Justice Division; and amending the Fiscal Year 2011-2012 Police Department Operating Budget Special Revenue Fund of Ordinance No. 20110912-005 to appropriate \$40,000 for the Austin Police Department project entitled Austin JJGIU Juvenile Justice Improvement Project. Related to Item #54
Ordinance No. 20120927-055 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
56. Approve a resolution authorizing the acceptance of \$71,214 in grant funding from the State of Texas, Governor's Office, Criminal Justice Division to implement the Austin Police Department project entitled the Austin Police Department Coverdell Project.
Resolution No. 20120927-056 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
57. Authorize negotiation and execution of an interlocal agreement between the City of Austin, the Austin Independent School District through its Police Department, the City of Georgetown through its Police Department, Hays County through its Sheriff's Office, City of Pflugerville through its Police Department, City of Round Rock through its Police Department, City of San Marcos through its Police Department, Travis County through its Sheriff's Office, University of Texas through its Police Department, and Williamson County through its Sheriff's Office for sustainment funding for the Austin Regional Intelligence Center.
The motion authorizing the negotiation and execution of an interlocal agreement between City of Austin, the Austin Independent School District, the City of Georgetown, Hays County, City of Pflugerville, City of Round Rock, City of San Marcos, Travis County, University of Texas, and Williamson County was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
58. Authorize the negotiation and execution of an interlocal agreement between the North Central Texas Council of Governments and City of Austin for participation in the Law Enforcement Analysis Portal project.
The motion authorizing the negotiation and execution of an interlocal agreement between the North Central Texas Council of Governments and City of Austin was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
59. Authorize negotiation and execution of amendment number one to the interlocal agreement between the City of Austin and Travis County concerning the Family Violence Protection Team Community Defined Solutions To Violence Against Women program that will extend the term of the interlocal through March 31, 2013.

The motion authorizing the negotiation and execution of amendment number one to the interlocal agreement between the City of Austin and Travis County was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

60. Authorize the negotiation and execution of the Termination of the Braker Lane Extension Interlocal Cooperation Agreement between the City of Austin and Travis County.
The motion authorizing the negotiation and execution of the termination of the Braker Lane Extension Interlocal Cooperation Agreement between the City of Austin and Travis County was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
61. Authorize award and execution of a 60-month requirement services contract with STANLEY CONVERGENT SECURITY SOLUTIONS, INC., for electronic security monitoring, system maintenance, and installation for various City departments in an estimated contract amount not to exceed \$1,435,000. (Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)
The motion authorizing the award and execution of a requirement services contract with Stanley Convergent Security Solutions, Inc. was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
62. Authorize negotiation and execution of a 12-month contract with TIBH INDUSTRIES, INC., for vegetation control in creeks and detention/water quality ponds, for the hauling of excessive vegetation and debris from specified job site locations to an acceptable landfill, and for herbicide application, in an amount not to exceed \$1,744,000. (Notes: This Cooperative Purchase is exempt from the MBE/WBE Ordinance. This exemption is in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)
The motion authorizing the negotiation and execution of a contract with TIBH Industries, Inc. was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
63. Authorize award and execution of a 36-month requirements service contract with AUSTIN ARBORIST COMPANY, dba AUSTIN TREE EXPERTS; FOREVER GREEN TROPICALS PLANT LEASING, INC., dba FOREVER GREEN; RIOS TREE SERVICE, INC.; and UNITY CONTRACTOR SERVICES, INC. (MBE/MB), or one of the other qualified bidders for IFB-BV No. SAP0135, to provide tree-trimming and removal services for various City Departments in an estimated amount not to exceed \$3,602,000 each and combined, with three 12-month extension options in estimated amounts not to exceed \$1,286,100 for the first extension option, each and combined; \$1,332,405 for the second extension option, each and combined; and \$1,381,025 for the third extension option, each and combined; for a total estimated contract amount not to exceed \$7,601,530 each and combined.
This item was postponed on consent to October 18, 2012 on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
64. Authorize award and execution of various supply and service contracts during the Fiscal Year 2012-2013 through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES cooperative purchasing program, for the purchase of computer software and software maintenance and support for various City departments in an estimated amount not to exceed \$16,772,719. (Notes: This Cooperative Purchase is exempt from the MBE/WBE Ordinance. This exemption is in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. However, SMBR will assist in the identification of subcontracting opportunities on a case by case basis. Reference backup documentation, DIR M/WBE 2012.)

The motion authorizing the award and execution of various supply and service contracts through the State of Texas Department of Information Resources was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

65. Authorize award and execution of various supply and service contracts during the Fiscal Year 2012-2013 through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) cooperative purchasing program, for the purchase of computer, telephone, and network hardware and related maintenance services for various City departments in an estimated amount not to exceed \$25,517,295. (Notes: This Cooperative Purchase is exempt from the MBE/WBE Ordinance. This exemption is in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. However, SMBR will assist in the identification of subcontracting opportunities on a case by case basis. Reference backup documentation, DIR M/WBE 2012.)

The motion authorizing the award and execution of various supply and service contracts through the State of Texas Department of Information Resources (DIR) was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

66. Authorize award and execution of various service contracts during the Fiscal Year 2012-2013 through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES cooperative purchasing program, for the purchase of technology services for various City departments in an estimated amount not to exceed \$16,442,006. (Notes: This Cooperative Purchase is exempt from the MBE/WBE Ordinance. This exemption is in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). However, SMBR will assist in the identification of subcontracting opportunities on a case by case basis. Reference backup documentation, DIR M/WBE 2012.)

The motion authorizing the award and execution of various service contracts through the State of Texas Department of Information Resources was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Items 67 and 68 were pulled for discussion.

69. Authorize award, negotiation, and execution of a 24-month requirements service contract with THE JW GROUP, INC., or one of the other qualified offerors to RFP No. BKH0135, to provide information technology master plan services for the Aviation Department in an estimated amount not to exceed \$1,100,000.

This item was withdrawn on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

70. Authorize award, negotiation and execution of an administrative services agreement with COMPUSYS/ERISA GROUP, INC., or one of the other qualified offerors to RFP No. JSD0124, for a 12-month service contract for each of the following Benefit Plans Administration services: A) Eligibility Administration; B) COBRA, Continuation of Coverage for Domestic Partners, and Self-Pay Administration; C) Self-Funded Dental Plan Claims Administration; and D) Flexible Benefits Claims Administration in an estimated amount not to exceed \$1,012,000 with six 12-month extension options in estimated amounts not to exceed \$1,040,000 for the first extension option, \$1,070,000 for the second extension option, \$1,123,000 for the third extension option, \$1,155,000 for the fourth extension option, \$1,189,000 for the fifth extension option, and \$1,223,000 for the sixth extension option, for a total estimated contract amount not to exceed \$7,812,000. (Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award, negotiation and execution of an administrative services agreement with Compusys/Erisa Group, Inc. was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

71. Authorize award and execution of Amendment No. 1 to add a 12-month extension option to a contract through the U.S. Communities Government Purchasing Alliance with SERVICEWEAR APPAREL, for the purchase of industrial and uniform clothing items in an amount not to exceed \$750,000, for a revised total estimated contract amount not to exceed \$1,050,000. (Notes: This Cooperative Purchase is exempt from the MBE/WBE Ordinance. This exemption is in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified therefore no goals were established for this contract.)

The motion authorizing the award and execution of amendment number one with ServiceWear Apparel was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Item 72 was set for a time certain of 3:30 p.m.

73. Approve an ordinance amending Section 12-4-64(D) of the City Code to add a portion of Freidrich Lane to the table of streets having a maximum speed limit of 20 miles per hour, during certain times, for students attending Uphaus Early Childhood Center; and provide for emergency passage.

Ordinance No. 20120927-073 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Items 74 and 75 were pulled for discussion.

76. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

The following appointments and waivers were approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Nominations

Board/Nominee

Nominated by

Animal Advisory Commission

Dr. Rita Geigel

Mayor Leffingwell

Arts Commission

LuLu Flores

Council Member Martinez

Austin Community Technology and Telecommunications Commission

Wendell Ramsey

Council Member Spelman

Austin Mayor's Committee for People with Disabilities

Jesus Lardizabal

Ron Lucey

Council Member Spelman

Mayor Pro Tem Cole

Austin Music Commission

Joe Stallone

Council Member Spelman

Board of Adjustment/Sign Review Board

Sallie Burchett

Council Member Spelman

Building and Standards Commission

Tim Hill

Council Member Riley

Commission for Women

Marilyn Bostick

Mayor Pro Tem Cole

Community Development Commission

Reuben Montoya (representative, East Austin neighborhood)

Council Member Spelman

Construction Advisory Committee

Shane Smith

Mayor Leffingwell

Downtown Commission

Martin Barrera

Dan Leary (representative, Historic Landmark Commission)

Lynn Osgood (representative, Parks and Recreation Board)

Myron Smith (representative, Planning Commission)

Council Member Martinez

Mayor Leffingwell

Council Member Tovo

Council Member Morrison

Early Childhood Council

Cindy Rojas Rodriguez

Council Member Spelman

Electric Utility Commission

Karen Hadden

Michael Webber

Council Member Tovo

Council Member Spelman

Board/Nominee

Nominated by

Mechanical, Plumbing and Solar Board

Jerry Garza

Mayor Leffingwell

Parks and Recreation Board

Susan Roth

Mayor Leffingwell

Residential Design and Compatibility Commission

Chuck Mains

Mayor Leffingwell

Resource Management Commission

Grace Hsieh

Mayor Leffingwell

Sign Review Board

Cathy French

Mayor Leffingwell

Urban Transportation Commission

Jace Deloney

Council Member Martinez

Zero Waste Advisory Commission

Fayez Kazi

Council Member Spelman

Zoning and Platting Commission

Gabriel Rojas

Council Member Martinez

Intergovernmental Bodies

Austin Travis County Integral Care Board of Trustees
Robert Chapa, Jr.

Mayor Leffingwell

Waivers

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for Joe Stallone's service on the Austin Music Commission.

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Martin Prisant and Calvin Williams on the Construction Advisory Committee. The waiver includes absences through today's date.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for Shane Smith's service on the Construction Advisory Committee.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for Bruce Mills' service on the Downtown Austin Community Court Advisory Committee.

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for Michael Webber's service on the Electric Utility Commission. The waiver includes absences through today's date.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for Jerry Garza's service on the Mechanical, Plumbing and Solar Board.

77. Approve a resolution declaring the City Council's intent to support marriage equality in the State of Texas. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Mayor Lee Leffingwell CO 2: Council Member Laura Morrison)
Resolution No. 20120927-077 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
78. Approve the reimbursement of certain fees under City Code Chapter 14-8 and authorize payment of certain costs for the City co-sponsored Austin Pride Parade sponsored by Austin Pride Foundation, which was held on September 22, 2012. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Mayor Pro Tem Sheryl Cole)
The motion to approve the reimbursement of certain fees and authorize payment of certain costs for the City co-sponsored Austin Pride Parade was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
79. Approve an ordinance authorizing reimbursement of certain fees for the City co-sponsored 2012 Fiesta de Independencia Celebration, sponsored by the Fiesta de Independencia Foundation, which was held on September 15, 2012 at the Emma S. Barrientos Mexican American Cultural Center. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Mayor Lee Leffingwell CO 2: Mayor Pro Tem Sheryl Cole)
This item was postponed on consent to October 11, 2012 on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
80. Approve a resolution requesting that the City Manager take necessary steps to prepare and file an amicus brief expressing an interest in and support for the area school districts in the school finance lawsuits filed in Travis County District Court. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Mayor Lee Leffingwell CO 2: Council Member Kathie Tovo)

Resolution No. 20120927-080 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

81. Approve a resolution directing the City Manager to add the HOPE Farmers Market at Plaza Saltillo as a City co-sponsored event and include it in the 2013 Austin Farmer's Market ordinance, which will waive certain fees and costs for City co-sponsored farmer's markets. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez CO 2: Mayor Pro Tem Sheryl Cole)

Resolution No. 20120927-081 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

82. Approve an ordinance reimbursing certain fees for the Dia de la Mujer Latina Quinceañera event sponsored by Dia de la Mujer Latina which was held on September 22, 2012 at the Montopolis Recreation Center. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley CO 2: Council Member Kathie Tovo)

Ordinance No. 20120927-082 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

83. Approve a resolution directing the City Manager to hold a one-day energy efficiency stakeholder workshop for community participation regarding energy efficiency goals and strategies, to place a one-year standing update item on the Resource Management Commission's agenda regarding the on-going stakeholder energy efficiency review process, and to report the results of the stakeholder process to Council within 90-days of completion of the process. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Mike Martinez CO 2: Council Member William Spelman)

Resolution No. 20120927-083 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

84. Approve a resolution directing the City Manager to explore options for funding and expanding the existing annual agreement with Austin Technology Council and if funding is found, negotiate, and execute an amendment to the Austin Technology Education Labs Pilot Proposal, with expanded requirements, for a total agreement amount not to exceed \$50,000. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison)

Resolution No. 20120927-084 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

85. Approve a resolution directing the City Manager to assess the cost and feasibility of an online resource that provides information to the public about how general obligation bonds and other funds for capital improvement projects are spent. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Council Member Chris Riley)

Resolution No. 20120927-085 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

86. Approve a resolution directing the City Manager to provide a written report to the City Council by January 31, 2013, about the extension of the Educational Impact Statements to school districts within the City and the actions taken to make the educational impact assessment a formal process for code amendments, policy proposals and permitting for development. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Mayor Lee Leffingwell)

Resolution No. 20120927-086 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

87. Approve a resolution directing the City Manager to withdraw and later resubmit the City's amendment request to the CAMPO 2035 Regional Transportation Plan related to State Highway 45 Southwest. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Laura Morrison CO 2: Council Member William Spelman)

Resolution No. 20120927-087 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Mayor Leffingwell voted nay.

88. Approve a resolution directing the City Manager to submit comments, supporting analysis, and the professional opinion from the Watershed Protection Department staff to the U.S. Fish and Wildlife Service regarding the scientific factual basis for the proposed listing to protect the Austin Blind and the Jollyville Plateau Salamanders under the Endangered Species Act no later than October 22, 2012. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member William Spelman CO 2: Council Member Laura Morrison)

Resolution No. 20120927-088 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Mayor Leffingwell voted nay.

89. Approve a resolution to achieve the recommendation of the Charter Revision Committee regarding creating a campaign finance database. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Chris Riley) Related to Item #91

Resolution No. 20120927-089 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

90. Approve an ordinance waiving certain fees for the Marathon Kids 2012-2013 Kick Off Celebration which is to be held on Saturday, September 29, 2012 at The University of Texas' Mike Myers Track and Field Stadium. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Laura Morrison CO 2: Council Member Kathie Tovo)

Ordinance No. 20120927-090 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

91. Approve an ordinance repealing Ordinance 20120426-087 regarding electronic filing of campaign finance and lobbying reports. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Chris Riley) Related to Item #89

Ordinance No. 20120927-091 was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

92. Approve the waiver of certain fees and requirements under City Code Chapter 14-8 for the National Alliance on Mental Illness (NAMI) Austin Walk event sponsored by NAMI Austin which is to be held on Saturday, October 6, 2012 beginning at Riverside and South 1st St. and ending at the Texas State Capitol. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Mayor Lee Leffingwell CO 2: Council Member Laura Morrison)

The motion to approve the waiver of certain fees and requirements for the National Alliance on Mental Illness (NAMI) Austin Walk event was approved on consent on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

93. Set a public hearing to consider an ordinance amending City Code Chapter 25-2, Subchapter C, Article 3, Division 9 (University Neighborhood Overlay District Requirements), relating to affordable housing regulations in the University Neighborhood Overlay District affordability requirements. (Suggested date and time: November 1, 2012, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was set on consent for November 1, 2012 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

94. Set a public hearing to consider an ordinance amending City Code Chapter 25-2, Subchapter C, Article 3, Division 9 (University Neighborhood Overlay District Requirements) relating to local uses, development standards, and requirements for compliance within the university neighborhood overlay district. (Suggested date and time: November 1, 2012, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was set on consent for November 1, 2012 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

95. Set a public hearing to consider the change of use of approximately 130,283 square feet of land for construction, operation, maintenance, repair, and replacement of rainwater storage and irrigation system for the Seaholm Power Plant Redevelopment Project through dedicated parkland known as Shoal Beach at Town Lake Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time, November 1, 2012, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). Recommended by the Parks and Recreation Board
The public hearing was set on consent for November 1, 2012 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Item 96 was an Eminent Domain item.

Items 97 and 98 were Briefings.

Items 99 through 102 were Executive Session items.

Items 103 through 138 were zoning items set for 2:00 p.m.

Item 139 was an AHFC meeting set for 3:00 p.m.

Items 140 through 146 were public hearing items set for 4:00 p.m.

BRIEFINGS

97. Seaholm District Wide Public Spaces / New Central Library.
The presentation was made by Bert Lumbreras, Assistant City Manager; Fred Evins, Redevelopment Project Manager, Economic Growth and Redevelopment Services; Cindy Jordan, Project Manager, Public Works Department; Sid Bowen AIA, Managing Principal, Shepley Bulfinch and David Lake, FAIA, Lake|Flato Architects. Available for questions were: Chad Crager, Project Manager, Public Works Department; Sue Edwards, Assistant City Manager; and Greg Kiloh, Project Manager, Economic Growth and Redevelopment Services.
98. Positive Impact for Climate Briefing.
This item was withdrawn without objection.

EMINENT DOMAIN

This vote applies to all units of property Item 96 to be condemned.

96. Approve a resolution authorizing the filing of eminent domain proceedings for the construction of the 138 kV Gilleland to Techridge Transmission Line Project to acquire a 7.46 acre electric easement out of the William Caldwell Survey Number 66, Abstract Number 162, Travis County, Texas in the amount of \$152,931.
Resolution No. 20120927-096 was approved on Council Member Spelman's motion, Council Member Riley's second on a 7-0 vote.

DISCUSSION ITEMS

14. Authorize execution of a construction contract with CHASCO CONTRACTING LTD., LLP / CHASCO CONSTRUCTORS, LTD., LLP, for the ABIA New Employee Parking Lot project at the Austin-Bergstrom International Airport in an amount not to exceed \$6,984,973.95, plus a \$698,497 contingency for a total contract amount not to exceed \$7,683,470.95. (Notes: This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 11.18% MBE and 2.23% WBE subcontractor participation.)

There was a motion made by Council Member Riley and seconded by Council Member Spelman to disapprove this item.

The substitute motion to postpone this item to October 18, 2012 was approved on Council Member Morrison's motion, Mayor Leffingwell's second on a 7-0 vote. Direction was given to the staff to bring back information on parking at the airport as it pertains to the Master Plan and information about the revenue The City gets from the parking.

CITIZEN COMMUNICATION: GENERAL

Jerry Davis- Crime related **Not present when name was called.**

Ronnie Reefersed- Peace, freedom, fluoride and the kill-grid

Linda Greene- Federal Government links Fluoride to brittle bones and risk of bone fracture.

Russell Doyle- Water quality **Not present when name was called.**

Steve Ellsworth- Homeowners Associations **Not present when name was called.**

Edward Sledge- Group Home regulation

Michael Zitz-Evancih- Smoking in public buildings in Austin **Not present when name was called.**

Larry Graunard- Smokers' rights **Not present when name was called.**

Scott Johnson- Economic incentives and a liveable city

Paul Robbins- City issues

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 12:40 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

The Mayor announced that Council would discuss items number 23, 46, and 47 on the regular agenda during Executive Session.

99. Discuss legal issues related to Open Government matters (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

100. Discuss legal issues related to Byron Carter Sr., et al v. City of Austin et al, Cause No. A-11-CA-997-LY in the United States District Court, Western District of Texas, Austin Division. (Private consultation with legal counsel-Section 551.071).
101. Discuss legal issues related to Public Utility Commission of Texas Docket No. 40627, Petition of Homeowners United for Rate Fairness to Review Austin Rate Ordinance No. 20120607-055 (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
102. Discuss legal issues in Eddie Rodriguez., et al v. Rick Perry et al, Cause No. SA-11-CA-635-OLG-JES-XR [Consolidated case], in U.S. District Court for the Western District of Texas, San Antonio. (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 4:17 p.m.

ZONING CONSENT ITEMS (PUBLIC HEARINGS)

The following zoning items were acted on by one motion.

103. NPA-2012-0011.01 - Programs Annex - Conduct a public hearing and approve an ordinance amending Ordinance No. 020523-30, the North Loop Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 4915 Harmon Avenue (Tannehill Branch Watershed) from Single Family to Civic land use. Staff Recommendation: To grant Civic land use. Planning Commission Recommendation: To be reviewed on September 25, 2012. Owner/Applicant: Manos de Cristo, Inc. (Julie Ballesteros). Agent: Studio 8 Architects (Milton Hime). City Staff: Maureen Meredith, 974-2695.
This item was postponed on consent indefinitely on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote. (Under City Code, items postponed indefinitely are withdrawn from the active agenda and must be re-noticed before being placed back on the council agenda.)
104. C14-2012-0022 - Programs Annex - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4915 Harmon Avenue (Waller Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on September 25, 2012. Applicant: Manos de Christo (Julie Ballesteros). Agent: Studio 8 Architects (Milton Hime). City Staff: Clark Patterson, 974-7691.
This item was postponed on consent indefinitely on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote. (Under City Code, items postponed indefinitely are withdrawn from the active agenda and must be re-noticed before being placed back on the council agenda.)
105. NPA-2011-0025.02 - Landscape Resources - Conduct a public hearing and approve an ordinance amending Ordinance No. 20081211-096, the Oak Hill Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 7401 Old Bee Caves Road (Williamson Creek Watershed-Barton Springs Zone) from Mixed Residential to Neighborhood Mixed Use land use, as amended. Staff Recommendation: To grant Neighborhood Mixed Use land use. Planning Commission Recommendation: To grant Neighborhood Mixed Use land use. Applicant/Owner: WEAPSA, L.L.C. Agent: Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, 974-2695.
The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance to change the land use designation on the future land use map (FLUM)

to Neighborhood Mixed Use was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

106. NPA-2012-0005.01- La Estancia Del Rio - Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation of the future land use map (FLUM) on property locally known as 1700 1/2 Frontier Valley Drive (Carson Creek Watershed) from Commercial to Multifamily Residential, as amended. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on October 9, 2012. Owner: Equity Secured Capital, L.P. (Vincent M. DiMare, Jr.). Applicant/Agent: MWM Design Group (Amelia Lopez). City Staff: Justin Golbabai, 974-6439.

This item was postponed on consent to October 11, 2012 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

107. C14-2012-0067 - La Estancia Del Rio - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1700 1/2 Frontier Valley Drive (Carson Creek Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning to multifamily residence-medium density-neighborhood plan (MF-3-NP) combining district zoning, as amended. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on October 9, 2012. Owner: Equity Secured Capital, L.P. (Vincent M. DiMare, Jr.). Applicant/Agent: MWM Design Group (Amelia Lopez). City Staff: Lee Heckman, 974-7604.

This item was postponed on consent to October 11, 2012 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

110. NPA-2012-0013.02 - 900 South 1st Street - Conduct a public hearing and approve an ordinance amending Ordinance No. 020523-32, the Bouldin Creek Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 900, 904 and 908 South 2nd Street, 1000 and 1002 South 2nd Street, 705 Christopher Street and unaddressed Christopher Street (Lot 4-7, Block 2, Oak Cliff Addition, 0.553 acres) (East Bouldin Creek Watershed) from Single Family and Mixed Use to Higher Density Single Family land use. Staff Recommendation: To deny Higher Density Single Family land use. Planning Commission Recommendation: To grant the Applicant's request for an indefinite postponement. Owner/Applicant: Margaret C. Quadlander. Agent: PSW Homes, L.L.C. (J. Ryan Diependrock). City Staff: Maureen Meredith, 974-2695.

This item was postponed indefinitely on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Tovo recused herself. (Under City Code, items postponed indefinitely are withdrawn from the active agenda and must be re-noticed before being placed back on the council agenda.)

111. C14-2012-0031 - 900 S. 1st (Part 1) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 900-908 South 2nd Street and unaddressed Christopher Street (Lot 4-7, Block 2, Oak Cliff Addition, 0.553 acres) (East Bouldin Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To deny townhouse and condominium residence-neighborhood plan (SF-6-NP) district zoning. Planning Commission Recommendation: To grant the Applicant's request for an indefinite postponement. Owner/Applicant: Margaret C. Quadlander. Agent: PSW Homes, LLC (J. Ryan Diepenbrock). City Staff: Wendy Rhoades, 974-7719.

This item was postponed indefinitely on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Tovo recused herself. (Under City Code,

items postponed indefinitely are withdrawn from the active agenda and must be re-noticed before being placed back on the council agenda.)

112. C14-2012-0033 - 900 S. 1st (Part 2) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1000-1002 South 2nd Street, and 705 Christopher Street (East Bouldin Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To deny townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Planning Commission Recommendation: To grant the Applicant's request for an indefinite postponement. Owner/Applicant: Margaret C. Quadlander. Agent: PSW Homes, LLC (J. Ryan Diepenbrock). City Staff: Wendy Rhoades, 974-7719.

This item was postponed indefinitely on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Tovo recused herself. (Under City Code, items postponed indefinitely are withdrawn from the active agenda and must be re-noticed before being placed back on the council agenda.)

113. NPA-2012-0018.01 - Texas State Troopers Association NPA - Conduct a public hearing and approve an ordinance amending Ordinance No. 040513-30, the Brentwood/Highland Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 826 Houston Street and 5536-5540 North Lamar Boulevard (Waller Creek Watershed) from Mixed Use to Multifamily land use. Staff Recommendation: To grant Multifamily land use. Planning Commission Recommendation: To be reviewed on September 25, 2012. Owner/Applicant: Texas State Troopers Association. Agent: Coats, Rose, Yale Ryman & Lee (John M. Joseph). City Staff: Maureen Meredith, 974-2695.

This item was postponed on consent to November 1, 2012 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

114. C14-2012-0053 - Texas State Troopers Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 826 Houston Street and 5536-5540 North Lamar Boulevard (Waller Creek Watershed) from commercial-liquor sales-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-1-MU-V-CO-NP), general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to multi-family residence-highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on September 25, 2012. Applicant: Texas State Troopers Association (Claude Hart). Agent: Coats, Rose, Yale, Ryman, & Lee (John Joseph). City Staff: Clark Patterson, 974-7691.

This item was postponed on consent to November 1, 2012 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

115. NPA-2012-0018.02 - George Shia NPA - Conduct a public hearing and approve an ordinance amending Ordinance No. 040513-30, the Brentwood/Highland Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 828, 836, 900 and 902 Houston Street, and 5527 Sunshine Drive (Waller Creek Watershed) from Higher Density Single Family and Mixed Use/Office to Multifamily land use. Staff Recommendation: To grant Multifamily land use. Planning Commission Recommendation: To be reviewed on September 25, 2012. Owner/Applicant: George Shia. Agent: Coats, Rose, Yale Ryman & Lee (John M. Joseph). City Staff: Maureen Meredith, 974-2695.

This item was postponed on consent to November 1, 2012 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

116. C14-2012-0052 - George Shia Zoning #1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 828 Houston Street (Waller Creek Watershed) from townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning to multi-family residence-highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on September 25, 2012. Applicant: George Shia. Agent: Coats, Rose, Yale, Ryman, & Lee (John Joseph). City Staff: Clark Patterson, 974-7691.
This item was postponed on consent to November 1, 2012 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
117. C14-2012-0054 - George Shia Zoning #2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5527 Sunshine Drive (Waller Creek Watershed) from limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning to multi-family residence-highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on September 25, 2012. Applicant: George Shia. Agent: Coats, Rose, Yale, Ryman, & Lee (John Joseph). City Staff: Clark Patterson, 974-7691.
This item was postponed on consent to November 1, 2012 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
118. NPA-2012-0018.05 - Burnet Pointe Residential (1307 W. 49th Street) - Conduct a public hearing and approve an ordinance amending Ordinance No. 040513-30, the Brentwood/Highland Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 1307 West 49th Street (Shoal Creek Watershed) from Mixed Use/Office to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To be reviewed on September 25, 2012. Owner/Applicant: Michael R. & Patricia Johnson. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, 974-2695.
This item was withdrawn on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
119. NPA-2012-0018.07 - Burnet Pointe Residential (4804 Grover Avenue) - Conduct a public hearing and approve an ordinance amending Ordinance No. 040513-30, the Brentwood/Highland Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 4804 Grover Avenue (Shoal Creek Watershed) from Mixed Use/Office to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To be reviewed on September 25, 2012. Owner/Applicant: 4804 Grover, Ltd.. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, 974-2695.
This item was withdrawn on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
120. NPA-2012-0018.09 - Burnet Pointe Residential (4802 Grover Avenue) - Conduct a public hearing and approve an ordinance amending Ordinance No. 040513-30, the Brentwood/Highland Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 4802 Grover Avenue (Shoal Creek Watershed) from Mixed Use/Office and Transportation to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To be reviewed on September 25, 2012. Owner/Applicant: Jimmy Nassour and Ronnie Meyer. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, 974-2695.
This item was withdrawn on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

121. NPA-2012-0019.01 - West 34th Street Redevelopment - Conduct a public hearing and approve an ordinance amending Ordinance No. 040826-056, the Central Austin Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3206 West Avenue, 3205 and 3207 Grandview Street (Shoal Creek Watershed; Waller Creek Watershed) from Single Family to Mixed Use/Office land use. Staff Recommendation: To grant Mixed Use/Office land use. Planning Commission Recommendation: To grant Mixed Use/Office land use. Owner/Applicant: B & G Partners, L.P. (Richard D. Stilovich). Agent: Armbrust & Brown, PLLC (Amanda Morrow) and McCann Adams Studios (Jana McCann). City Staff: Maureen Meredith, 974-2695.
This item was postponed on consent to December 6, 2012 at the applicant and neighborhood's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Tovo recused herself.
122. C14-2011-0131 - West 34th St. Redevelopment, Tract "A" - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 800 and 808 West 34th Street (Shoal Creek Watershed; Waller Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant general office-conditional overlay- neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Applicant: REIT Management & Research, L.L.C. (Richard Stilovich). Agent: McCann Adams Studio (Jana McCann). City Staff: Clark Patterson, 974-7691.
This item was postponed on consent to December 6, 2012 at the applicant and neighborhood's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Tovo recused herself.
123. C14-2011-0132 - West 34th St. Redevelopment, Tract "B" - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3316 Grandview Street (Shoal Creek Watershed; Waller Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Applicant: REIT Management & Research, L.L.C. (Richard Stilovich). Agent: McCann Adams Studio (Jana McCann). City Staff: Clark Patterson, 974-7691.
This item was postponed on consent to December 6, 2012 at the applicant and neighborhood's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Tovo recused herself.
124. C14-2011-0133 - West 34th St. Redevelopment, Tract "C" - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 801 West 34th Street, 3205 and 3207 Grandview Street, and 3206 West Avenue (Shoal Creek Watershed; Waller Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Applicant: REIT Management & Research, L.L.C. (Richard Stilovich). Agent: McCann Adams Studio (Jana McCann). City Staff: Clark Patterson, 974-7691.
This item was postponed on consent to December 6, 2012 at the applicant and neighborhood's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Tovo recused herself.

125. C14-2011-0134 - West 34th St. Redevelopment, Tract "D" - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 715 West 34th Street (Shoal Creek Watershed; Waller Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Applicant: REIT Management & Research, L.L.C. (Richard Stilovich). Agent: McCann Adams Studio (Jana McCann). City Staff: Clark Patterson, 974-7691.
This item was postponed on consent to December 6, 2012 at the applicant and neighborhood's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Tovo recused herself.
126. NPA-2012-0019.03 - 2814 San Pedro - Conduct a public hearing and approve an ordinance amending Ordinance No. 040826-056, the Central Austin Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2814 San Pedro Street (Shoal Creek Watershed) from Single Family to Multifamily land use. Staff Recommendation: To deny Multifamily land use. Planning Commission Recommendation: To be reviewed on September 25, 2012. Owner/Applicant: Cater Joseph. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Maureen Meredith, 974-2695.
This item was postponed on consent to November 8, 2012 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
127. C14-04-0181.SH(RCA) - Shire's Court - Conduct a public hearing to amend a restrictive covenant for the property locally known as 1910 1/2 Wickshire Lane (Country Club East Creek Watershed). Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on October 9, 2012. Owner/Applicant: Shire's Court, Ltd. (David Mahn) et al. Agent: Benchmark Development (Myra Goepf). City Staff: Wendy Rhoades, 974-7719.
This item was postponed on consent to November 1, 2012 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
128. C14-2012-0018 - Ben White Commercial - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4108 IH-35 South (Williamson Creek Watershed) from limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: Not applicable; Case has been withdrawn by the Applicant. Planning Commission Recommendation: Not applicable. Owner/Applicant: 4108 IH35, LLC (Lampros Moumouris). Agent: Brown McCarroll, L.L.P. (Nikelle S. Meade). City Staff: Wendy Rhoades, 974-7719.
This item was withdrawn on consent by the applicant on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
130. C14-2012-0061 - The Oaks at Techridge Phase 2b - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 14400 The Lakes Boulevard (Walnut Creek Watershed; Harris Branch Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning to multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning. Staff Recommendation: To grant multi-family residence-medium density (MF-3) district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-medium density (MF-3) district zoning. Owner/Applicant: Techridge Spectrum B.C., LP. Agent: Smith, Robertson, Elliott, Glen, Klein & Douglas, LLP (David Hartman). City Staff: Heather Chaffin, 974-2122.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120927-130 for multi-family residence-medium density (MF-3) district zoning

was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

132. C14-2012-0066 - Mary Stinson & James Ramsey - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7709 and 7731 Manchaca Road (South Boggy Creek Watershed) from development reserve (DR) district zoning to multi-family residence-low density (MF-2) district zoning. Staff Recommendation: To grant multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning. Owner/Applicant: Mary Stinson & James and Rita Ramsey. Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120927-132 for multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
134. C14-2012-0073 - 729 E. Slaughter Lane, Unit B - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 729 East Slaughter Lane, Unit B (Onion Creek Watershed) from community commercial (GR) district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Owner/Applicant: 729 East Slaughter Lane, Ltd. (Najib F. Wehbe) and Charles Wehbe. Agent: Charles Wehbe. City Staff: Wendy Rhoades, 974-7719.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120927-134 for commercial-liquor sales (CS-1) district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
135. C14-2012-0086 - Lost Creek - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1142 Lost Creek Boulevard (Eanes Creek Watershed) from limited office (LO) district zoning to multi-family residence limited density (MF-1) district zoning. Staff Recommendation: To grant multi-family residence limited density-conditional overlay (MF-1-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on October 2, 2012. Owner: Stern Trust (Robert P. Stern). Applicant/Agent: LOC Consultants (Sergio Lozano). City Staff: Lee Heckman, 974-7604.
This item was postponed on consent to October 18, 2012 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
136. C14-2012-0087 - Waterloo Park Tower - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1209 Red River Street (Town Lake Watershed) from commercial-liquor sales (CS-1) district zoning to central business district (CBD) district zoning. Staff Recommendation: To grant central business district (CBD) district zoning. Planning Commission Recommendation: To grant central business district (CBD) district zoning. Applicant: Allen W. Nalle. Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Clark Patterson, 974-7691.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120927-136 for central business district (CBD) district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
137. C14-2012-0095 - Anderson Mill @ Pond Springs Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13427 Pond Springs Road (Lake Creek Watershed) from community commercial (GR) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting

Commission Recommendation: To grant general commercial services-conditional overlay combining (CS-CO) district zoning. Owner/Applicant: Furrows North Properties, Ltd. (Jimmy J. Nassour). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 974-3057.

The public hearing was conducted and the motion to close the public hearing and adopt on first reading the ordinance for general commercial services-conditional overlay (CS-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

138. C814-90-0003.17 - Harris Branch PUD Amendment #17 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12045 1/2 Cameron Road (Harris Branch Watershed, Gilleland Creek Watershed, Decker Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change a condition of zoning. Staff Recommendation: To deny planned unit development (PUD) district zoning, to change a condition of zoning. Zoning and Platting Commission Recommendation: To deny planned unit development (PUD) district zoning, to change a condition of zoning. Owner/Applicant: Austin HB Residential Properties (John McCullough). Agent: CSF Civil Group, LLC (Charles Steinman). City Staff: Sherri Sirwaitis, 974-3057.

This item was pulled from the agenda by staff on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Mayor Leffingwell recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 4:33 p.m. See separate minutes.

Mayor Leffingwell called the Council Meeting back to order at 4:34 p.m.

DISCUSSION ITEMS CONTINUED

68. Approve the ratification of a construction contract payment to the HOUSING AUTHORITY OF THE CITY OF AUSTIN (HACA) to provide renovation services to the CTM Riverside location in an amount of \$145,598.

The motion to ratify a construction contract payment to the Housing Authority of the City of Austin (HACA) was approved on Council Member Tovo's motion, Council Member Spelman's second on a 7-0 vote.

PUBLIC HEARINGS AND POSSIBLE ACTION

Items 142 through 146 were acted on in a combined motion.

142. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 to define a new land use "Pedicab Storage and Dispatch" and to identify the zoning districts in which the use is permitted.

This item was postponed to November 1, 2012 on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

143. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 to make outdoor amphitheatres and similar structures a conditional use in all zoning districts, even if the amphitheater or similar structure is associated with a civic or residential use.

This item was postponed to November 1, 2012 on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

144. Conduct a public hearing and consider an ordinance amending City Code Title 25 to designate the Planning Commission as the Land Use Commission for the Old Enfield neighborhood planning area.

This item was postponed to October 18, 2012 on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

145. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 (Zoning) to create the Central Austin - University Area Zoning Overlay District in which a group residential land use is a conditional use in the multi-family residence moderate-high density (MF-4) base zoning district.
This item was postponed to November 8, 2012 on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
146. Conduct a public hearing and approve a resolution reauthorizing the Austin Downtown Public Improvement District for a period of ten years in accordance with Chapter 372, Texas Local Government Code. Related to Item #22
This item was postponed to October 11, 2012 on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

DISCUSSION ITEMS CONTINUED

18. Authorize the use of Job Order Contracting and Competitive Sealed Proposal project delivery methods in accordance with Government Code Chapter 2267 and 271 for implementation of Austin Energy's Home Efficiency Assistance Program (HEAP).
The motion authorizing the use of job order contracting and competitive sealed proposal project delivery methods was approved on Council Member Martinez' motion, Council Member Morrison's second on a 7-0 vote.
21. Approve a resolution adopting the Austin Convention and Visitors Bureau 2012-2013 Marketing Plan and Proposed Budget of \$11,268,530, setting the contract payment in an amount not to exceed \$9,586,280 for 2012-2013, and authorizing the City Manager to file the approved documents with the City Clerk's office as required by the Texas Tax Code.
Resolution No. 20120927-021 was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.
22. Authorize the negotiation and execution of a management agreement with the Downtown Austin Alliance for management of public services funded by the Austin Downtown Public Improvement District for a period of ten years in an amount not to exceed \$6,000,000 per year. Related to Item #146
This item was postponed to October 11, 2012 on Council Member Martinez' motion, Council Member Tovo's second on a 7-0 vote.
35. Approve payment of a judgment in Harold Piatt v. City of Austin et al, Cause No. A-07-CA-520-LY in the United States District Court for the Western District of Texas, Austin Division.
The motion to settle the above referenced lawsuit, by the City paying \$74,318.30 to Harold Piatt, was approved on Council Member motion, Council Member second, on a vote.
23. Approve a resolution authorizing the City Manager to award cultural arts services contracts for Fiscal Year 2012-2013 in an amount not to exceed \$4,641,330, and approving an award of contracts identified in the exhibit attached to the resolution.
Resolution No. 20120927-023 was approved on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote. Council Member Tovo recused herself from theatre action project grant.

Items 41 through 43 were acted on in a combined motion.

41. Authorize negotiation and execution of all documents and instruments necessary or desirable to sell an approximate 0.2699-acre parcel of land, located on Lot A, Rainey River Addition, according to the map or plat thereof, recorded in Volume 68, Page 72, Plat Records, Travis County, Texas and locally known

as 64 Rainey Street, Austin, Travis County, Texas to 70 RAINEY STREET, LP for \$100,000 plus 30 privately managed, controlled access, public parking spaces, with all revenue generated from the spaces, less cost of maintenance and management of the spaces remitted to the City at least quarterly. Related to Items #42 and #43

This item was postponed to October 11, 2012 on Council Member Martinez' motion, Council Member Tovo's second on a 7-0 vote. Direction was given to staff to:

- **Provide information about the original vision for the Mexican American Cultural Center, the various phases, why this property was purchased and the process used by the Real Estate Division to sell this property;**
- **Educate the Parks and Recreation and the Mexican American Cultural Center Advisory Board members that the property is within the Waller Creek development and is part of the Tax Increment Financing and has been appraised at a certain value to pay for the Tax Increment Financing; and**
- **Before it is sold and developed, discuss possible constraints to make it a compatible design.**

42. Authorize negotiation and execution of all documents and instruments necessary or desirable to sell an approximate 0.2699 acre parcel of land, located on Lot A, Rainey River Addition, according to the map or plat thereof, recoded in Volume 68, Page 72, Plat Records, Travis County, Texas and locally known as 64 Rainey Street, Austin, Travis County Texas to 70 RAINEY STREET, LP for \$1,200,000. Related to Items #41 and #43

This item was postponed to October 11, 2012 on Council Member Martinez' motion, Council Member Tovo's second on a 7-0 vote. Direction was given to staff to:

- **Provide information about the original vision for the Mexican American Cultural Center, the various phases, why this property was purchased and the process used by the Real Estate Division to sell this property;**
- **Educate the Parks and Recreation and the Mexican American Cultural Center Advisory Board members that the property is within the Waller Creek development and is part of the Tax Increment Financing and has been appraised at a certain value to pay for the Tax Increment Financing; and**
- **Before it is sold and developed, discuss possible constraints to make it a compatible design.**

43. Authorize negotiation and execution of all documents and instruments necessary or desirable to sell an approximate 0.2699 acre parcel of land, located on Lot A, Rainey River Addition, according to the map or plat thereof, recoded in Volume 68, Page 72, Plat Records, Travis County, Texas and locally known as 64 Rainey Street, Austin, Travis County Texas to 70 RAINEY STREET, LP for a combination of \$400,000 plus twenty (20) privately managed, controlled access, public parking spaces, with all revenue generated from the spaces, less cost of maintenance and management of the spaces remitted to the City of Austin at least quarterly. Related to Items #41 and #42 (Notes: 18416; 19133)

This item was postponed to October 11, 2012 on Council Member Martinez' motion, Council Member Tovo's second on a 7-0 vote. Direction was given to staff to:

- **Provide information about the original vision for the Mexican American Cultural Center, the various phases, why this property was purchased and the process used by the Real Estate Division to sell this property;**
- **Educate the Parks and Recreation and the Mexican American Cultural Center Advisory Board members that the property is within the Waller Creek development and is part of the Tax Increment Financing and has been appraised at a certain value to pay for the Tax Increment Financing; and**
- **Before it is sold and developed, discuss possible constraints to make it a compatible design.**

44. Approve a resolution waiving the requirements of the City's policy related to concessions on parkland, adopted in Resolution No. 980312-025, for a concession agreement with Austin Parks Foundation (Foundation) for a food and beverage concession at 1006 Congress Avenue, adjacent to the Old Bakery and Emporium; authorize an extension of the current Temporary Concession Agreement with

the Foundation for up to one hundred and two calendar days, beginning on October 22, 2012, and authorize the negotiation and execution of a new concession agreement with the Foundation for two years in exchange for Foundation's obligation to use concession revenue to fund additional improvements at the site. Partially Recommended by the Parks and Recreation Board

Resolution No. 20120927-044 was approved for negotiation only on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

67. Authorize award, negotiation, and execution of a contract with CDM SMITH, INC., or one of the other qualified offerors to RFP No. STA0010 for the analysis and assessment of various City Ordinances, Codes and other regulations related to auxiliary waters for the Austin Water Utility in an estimated amount not to exceed \$110,978, with an optional "Design and Construction Manual" for an estimated amount not to exceed \$21,512, for a total estimated contract amount not to exceed \$132,490. (Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)
The motion authorizing the award, negotiation and execution of a contract with CDM Smith, Inc. was approved on Council Member Riley's motion, Council Member Martinez' second on a 7-0 vote. Direction was given to the staff to uphold public health and safety standards going forward.

Mayor Leffingwell recessed the Council Meeting for Live Music and Proclamation at 5:25 p.m.

LIVE MUSIC

Tapestry Dance Company

PROCLAMATIONS

Certificates of Congratulations – Clean Air Force Public Service Announcement Contest Winners
-- to be presented by Mayor Lee Leffingwell and to be accepted by the honorees

Proclamation – National Night Out – to be presented by Mayor Lee Leffingwell and to be accepted by Joe Munoz

Proclamation – Meet the Lender Day – to be presented by Mayor Lee Leffingwell and to be accepted by Rosy Jalifi

Proclamation – Binational Health Week – to be presented by Council Member Mike Martinez and to be accepted by Annie Crawford

Proclamation – Livestrong Day – to be presented by Council Member Laura Morrison and to be accepted by Roland Canales and Clifford Gorman

Proclamation – Domestic Violence Awareness Month – to be presented by Council Member Laura Morrison and to be accepted by Julia Spann

Proclamation – National Preparedness Month – to be presented by Council Member Kathie Tovo and to be accepted by Otis Latin

Mayor Leffingwell called the Council Meeting back to order at 6:55 p.m.

ZONING DISCUSSION ITEMS

Items 108 through 109 were acted on in a combined motion.

108. NPA-2012-0005.02 - Mixed Use - State Inspections - Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 6606 Felix Avenue (Carson Creek Watershed) from Single Family to Neighborhood Mixed Use land use. Staff Recommendation: To deny Neighborhood Mixed Use land use. Planning Commission Recommendation: To deny Neighborhood Mixed Use. Applicant/Owner: Carolina Mandujano. City Staff: Maureen Meredith, 974-2695.
The public hearing was conducted and the motion to close the public hearing and deny the request was approved on Council Member Martinez' motion, Council Member Morrison's second on a 5-0 vote. Mayor Pro Tem Cole and Council Member Spelman were off the dais.
109. C14-2012-0069 - Mixed Use State Inspections - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6606 Felix Avenue (Carson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Staff Recommendation: To deny neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Planning Commission Recommendation: To deny neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Owner/Applicant: Carolina Mandujano. City Staff: Lee Heckman, 974-7604.
The public hearing was conducted and the motion to close the public hearing and deny the request for rezoning was approved on Council Member Martinez' motion, Council Member Morrison's second on a 5-0 vote. Mayor Pro Tem Cole and Council Member Spelman were off the dais.

Items 129 through 123 were acted on in a combined motion.

129. C14-2012-0051 - Felter Lane Hot Bodies - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 4134 Felter Lane (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Owner/Applicant: Michael Kuhn. Agent: KPP International (Eleftherios "Lefty" Karamolegkos). City Staff: Wendy Rhoades, 974-7719.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120927-129 for commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning was approved on Council Member Morrison's motion, Council Member Spelman's second on a 6-0 vote. Mayor Pro Tem Cole was off the dais.
133. C14-2012-0070 - Drink. Well. Rezone - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 207 East 53rd Street (Waller Creek Watershed) from neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning to community commercial-neighborhood plan (GR-NP) combining district zoning. Staff Recommendation: To grant community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning. Applicant: M & J Properties, L.L.C. (Michael Sanders). Agent: Vasquez Ventures, L.L.C. (Rick Vasquez). City Staff: Clark Patterson, 974-7691.
The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning was approved on Council Member Morrison's motion, Council Member Spelman's second on a 6-0 vote. Mayor Pro Tem Cole was off the dais.

PUBLIC HEARINGS AND POSSIBLE ACTION CONTINUED

141. Conduct a public hearing in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code and consider a resolution approving the use of approximately 1,205 square feet of land for permanent wastewater line, 10,386 square feet for temporary working space, 31,755 square feet for temporary staging area and material storage site and 54,886 square feet for temporary ingress and egress to construct, use, maintain, repair and replace a wastewater line and appurtenances for the North Acres Wastewater Tunnel Project, which is located on dedicated parkland known as Walnut Creek Park.

The public hearing was conducted and the motion to close the public hearing and adopt Resolution No. 20120927-141 was approved on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

140. Conduct a public hearing and consider an ordinance creating an economic development program with HID Global Corporation and authorizing the negotiation and execution of an Economic Development Agreement with HID Global Corporation.

The motion to approve the ordinance with the following amendments was made by Mayor Pro Tem Cole and seconded by Council Member Martinez. The amendment from Mayor Pro Tem Cole was to include the following wording in the agreement, "Disadvantaged Workers. I. Applicant shall make commercially reasonable efforts to hire 20% disadvantaged workers who are graduates of construction training programs for non-licensed construction tasks on the original construction of HID Global's facility. A disadvantaged worker is defined by Texas Government Code Section 2302.402(c) or lacks a high school diploma or a GED equivalent. Safe Jobs. II. Applicant shall make commercially reasonable efforts to ensure that construction contractors and subcontractors (a) secure OSHA 10 hour training for all on-site personnel and OSHA 30 hour training for supervisors or superintendents, and (b) cover all their construction workers with workers' compensation insurance." This was accepted by Council Member Martinez, who seconded the motion.

Council Member Morrison's amendment was to add the requirement that prevailing wage be paid for construction jobs. This was seconded by Council Member Spelman. Council Member Spelman later withdrew his second. Council Member Martinez seconded the motion. The amendment failed on a vote of 3-4. Those voting aye were: Council Members Martinez, Morrison and Tovo. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Cole, and Council Members Riley and Spelman.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120927-140, the staff recommendation as amended above, was approved on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

DISCUSSION ITEMS CONTINUED

46. Approve an ordinance amending the April 11, 2000 Impervious Cover Allocation Agreement with William S. Walters, III, Trustee and Ordinance No. 000406-13 regarding retention of impervious cover credits associated with the City's purchase in 2000 of the Friesenhahn Tract. The Tract is located southwest of the intersection of Capital of Texas Highway South (Loop 360) and MoPac (Loop One) in an area subject to the Save Our Springs Initiative (City Code Chapter 25-8, subchapter A, Article 12). Related to Item #47

The motion to deny the ordinance was made by Council Member Morrison and seconded by Council Member Tovo. The motion failed on a vote of 2-5. Those voting aye were: Council Members Morrison and Tovo. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Martinez, Riley and Spelman.

Ordinance No. 20120927-046 was approved with a friendly amendment on Council Member Spelman's motion, Mayor Leffingwell's second on a 5-2 vote. Council Member Tovo made a friendly amendment to limit the fee waivers to the desired development zone. This was accepted by the maker of the motion and Mayor Leffingwell, who made the second. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Martinez, Riley and Spelman. Those voting nay were Council Members Morrison and Tovo.

47. Approve an ordinance amending the Fiscal Year 2011-2012 Operating Budget General Fund Budget Stabilization Reserve Fund (Ordinance 20110912-005) by reducing the fund balance and increasing transfers out to the General Fund in the amount of \$887,500; and amending the General Fund Planning and Development Review Operating Budget by increasing appropriations in the amount of \$887,500 for a payment related to the Amendment to the Agreement for purchase of the Friesenhahn Tract. Related to Item #46

Ordinance No. 20120927-047 was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 5-2 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Martinez, Riley and Spelman. Those voting nay were: Council Members Morrison and Tovo.

75. Approve an ordinance establishing a parking benefit district in the University Neighborhood Overlay District.

Ordinance No. 20120927-075 was approved on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote. Staff was directed to check-in with this parking benefit district after one year to determine if a change to a 70/30 split, like our Great Streets program, makes sense, and if our Parking Enterprise budget could allow the 35 meters that exist within its boundaries to be included outright.

72. Approve first reading of an ordinance amending Ordinance No. 20070517-064 awarding a franchise to Lone Star Cab Company, to allow for additional franchise permits.

There was a motion made by Council Member Riley and seconded by Council Member Tovo to deny the permits.

The substitute motion to approve the first reading of the ordinance was approved on Council Member Martinez' motion, Council Member Morrison's second on a 5-2 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Cole, and Council Members Martinez, Morrison and Spelman. Those voting nay were Council Members Riley and Tovo. Staff was directed to publish the hard data they collect at least a week prior to the third reading.

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

74. Approve an ordinance readopting and extending City Code Chapter 13-2, Subpart G (electric-low-speed vehicles), and amending City Code Sections 13-2-287 through 13-2-289 regarding certain safety equipment and issuance of city operating authority for electric low-speed vehicles, and declaring an emergency.

Ordinance No. 20120927-074 was approved on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote. Staff was directed to work with the vendor to consider a defined operating district versus fixed routes, how enforcement will be done, restricting these vehicles from major thoroughfares, and coming up with a business model that works for the customers and the vendor. Proposals should come back to Council within a month for review.

ZONING DISCUSSION ITEMS

131. C14-2012-0063 - Christian Life Austin - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4700 West Gate Boulevard and 4701 Sunset Trail (Williamson Creek Watershed) from single family residence-standard lot (SF-2) district zoning, single family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning, multi-family residence-low density (MF-2) district zoning, and multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning to general office-conditional overlay (GO-CO) combining district zoning. Staff Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Owner/Applicant: Christian Life Church of Austin (Josh Reynolds). Agent: Enabler Design (DeVon Wood). City Staff: Wendy Rhoades, 974-7719.

The public hearing was conducted and the motion to close the public hearing and approve the first reading of the ordinance for general office-conditional overlay (GO-CO) combining district zoning with the following conditions was made by Council Member Morrison and second by Council Member Tovo. The conditions were to:

- **set a 2,000 trip limitation;**
- **restrict the property to religious assembly only; and**
- **prohibit access to Sunset Trail and Windswept Cove.**

There was a motion made by Council Member Spelman and seconded by Mayor Leffingwell to approve the Zoning and Platting Commission recommendation on first reading but to allow access to Windswept Cove. This motion failed on a vote of 3-3. Those voting aye were: Mayor Leffingwell and Council Members Spelman and Tovo. Those voting nay were: Mayor Pro Tem Cole and Council Members Riley and Morrison. Council Member Martinez was off the dais.

The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for general office-conditional overlay (GO-CO) combining district zoning with the above conditions was approved on Council Member Morrison's motion, Council Member Tovo's second on a 5-1 vote. Council Member Riley voted nay. Council Member Martinez was off the dais.

Mayor Leffingwell adjourned the meeting at 11:08 p.m. without objection.

The minutes for the meeting were approved on this the 11th day of October 2012 on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.